

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAMIAN EARLEY, an individual,

No. 3:22-cv-00697-SB

Plaintiff,

ORDER

v.

UNITED STATES OF AMERICA; PIONEER
HUMAN SERVICES, a nonprofit social enterprise,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation on January 27, 2023, in which she recommends that the Court grant Defendant United States of America's motion to dismiss and enter judgment dismissing this action without prejudice. F&R, ECF 41. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court adopts Magistrate Judge Beckerman's Findings and Recommendation [41]. Accordingly, Defendant United States of America's Motion to Dismiss [22] is GRANTED. Plaintiff's claims against the Government are dismissed without prejudice.

IT IS SO ORDERED.

DATED: February 24, 2023.



MARCO A. HERNÁNDEZ
United States District Judge